

**MARION ROAD TRUNK SANITARY SEWER PROJECT
ALTERNATIVE URBAN AREAWIDE REVIEW
TECHNICAL ADVISORY COMMITTEE
STWARDSHIP MEETING NOTES**

Date/Time: Thursday January 3, 2002
4:00-7:30 P.M.

Location: Rochester Public Works Department
Olmsted County Public Works Building
Conference Rooms A and B

Attendees:

	Organization	Representative
TAC	Olmsted Soil and Water Conservation District	Skip Langer
TAC	Olmsted WCA LGU	John Harford
TAC	Rochester Public Works Department	Richard Freese
TAC	Minnesota Department of Natural Resources	Don Nelson
TAC	Rochester City Council	Dave Senjem*
TAC	Olmsted County Environmental Commission	Chuck Michael
TAC	Marion Town Board	Jim Baier
TAC	Marion Township Resident	Ed Scherr
TAC	Rochester-Olmsted Planning Department	Charlie Reiter
Staff	City of Rochester	Barb Huberty*
Staff	Rochester-Olmsted Planning Department	Sandi Goslee
Staff	Earth Tech	Leslie Knapp
Staff	Hoisington Koegler Group, Inc.	Brad Schieb
Staff	Rochester-Olmsted Planning Department	Phil Wheeler
Guest	Rochester Park and Recreation Department	Denny Stotz
Guest	Zumbro Land Conservancy	Andrea Mueller
Guest	Zumbro Land Conservancy	Linda Long
Guest	Zumbro Land Conservancy	Mike Schlasner
Guest	Department of Natural Resources	Ann Pierce

NOTES: * Arrived late due to other meeting commitments.
 Jim Mosser, Marion Township resident, provided comments in advance.

1.0 WELCOME AND INTRODUCTIONS

Sandi Goslee welcomed attendees and attendees introduced themselves.

2.0 PURPOSE OF TAC MEETING

Due to a number of questions and concerns raised in the AUAR process, various Staff members concluded that it would be useful to supplement the AUAR document with a paper that outlines stewardship opportunities for the conservation of natural resources by private and public sectors.

Sandi Goslee drafted a document identifying policies that are already in place, programs and tools that are available, and potential funding resources. An advance draft of this document entitled “*Opportunities for Land Stewardship in the Rochester Area*” was distributed to the TAC members to allow for review prior to this meeting, along with a request for input. Sandi Goslee opened by stating that the purpose of this meeting was to discuss how best to address stewardship opportunities in conjunction with the Marion Trunk Sanitary Sewer Project AUAR, and asked for comments, responses, suggestions, or other input that should be incorporated into the draft stewardship document.

3.0 DISCUSS STEWARDSHIP OPPORTUNITIES FOR LOW LEVEL CONSTRAINTS

The City Council can be presented with stewardship options for consideration and it will be the Council’s role to approve or disapprove them. Sandi Goslee led a discussion on stewardship opportunities.

- How should land stewardship be defined? Is it preservation? Conservation? Sustainable development? All three descriptions are appropriate for land stewardship; a mixture of conservation approaches will be needed. The piece of land in question and its sensitivity will determine what is appropriate; some lands can withstand more disturbance than others. The term “environmental corridor” might be preferable to “stewardship” because people understand this concept more readily. The term “environmental management” may also better convey the idea of stewardship.
- The discussion then turned to how this stewardship document should be used. This document could be used as a supplement to the AUAR report and referenced in the Mitigation Plan. To make an impact, at the very least, the Mitigation Plan should have an education component that references or parallels the stewardship document. For example, all developers and consultants could be given a copy of this document to reference prior to preparing development proposals.
- Are there any missing plan elements needed to address stewardship? The fact that many conservation policies are already in place was noted. Many meeting attendees were pleasantly surprised at the conservation policies already in place once they were pulled together for review in one document. Based on this document, all the planning policies appear to be in place.
- The need to educate developers and landowners regarding the kinds of things that could or should be done to protect sensitive natural resources was noted. The AUAR process has resulted in the inventory and identification of natural and cultural resources for a large area. This provides us with the opportunity to address them as part of the big picture, rather than on a case-by-case basis. This gets to the intent of the AUAR process to deal with cumulative impacts. A potential impact that may not be viewed as important on a case-by-case basis can now be evaluated with respect to how it relates to the overall environmental picture of the area. This education process could be a tool to use in other areas of the City/County, as well, if the Council so chooses. The importance of providing landowners and developers with maps of sensitive resources and related conservation goals prior to land sales and development layout was identified as an important issue.

- The City's Land Development Manual and Zoning Ordinance has a lot of flexibility to handle stewardship issues, although they are not mandatory. These ideas should be applied universally and could be done through the General Development Plan process. Concerns were voiced that if these ideas were not applied universally, it would drive development away from those areas where they are applied. Additional restrictions may cause more suburban sprawl and defeat the purpose of planned urban development. The best ways to educate appropriate parties regarding these policies and how to enforce them were discussed. The importance of education in getting people to see the big picture was noted as being important enough to include in the Mitigation Plan. Concern was expressed that nothing new will come out of this process if we rely only on existing documents and education. We need to use this tool to go a step farther. Natural inventories, preservation tactics, and cluster development are all important tools to achieve stewardship goals.
- The Committee on Urban Design and Environment workshop held last March (2001) on Conservation Design was provided as an example of a way to get information out to developers and consultants. It would be good to find a way to increase developer participation. As part of this education process, CDs could be provided to appropriate parties (developers, consultants, landowners, regulatory staff, etc.) identifying the natural resource areas for conservation/management/avoidance consideration.
- Native prairie and oak grove preservation was identified as also needing consideration for preservation. The example of the grove of trees eliminated by the airport was cited. The possible destruction of trees in the potential 40th Street extension and along the creeks was also raised as an issue. Funding is available for prairie preservation and restoration. One main concern is the number of trees taken down during construction. What can we do to protect these?
- The concept of environmental corridors was discussed. A main corridor already exists because of the Flood Control Project. The Bear Creek and Badger Run corridors tie into the Flood Control Project and extend beyond the current land use plan map. The AUAR could state that the extension of these corridors should be delineated (as opposed to saying that these extensions be done by a particular date). Perhaps this could be done as neighborhood parkland dedication or by updating the parkland plan to address some of the sensitive areas identified in the AUAR. Another possible method to accomplish this would be to use the AUAR flood prone areas maps to identify potential corridors and extend the land use designation. Some side tributaries/corridors to the Bear Creek and Badger Run corridors are also important; connections could be made to Eastwood. Field verification of natural areas is very important. Improvements in bank stabilization along Bear Creek are needed.
- What kinds of actions should be taken? A lot of environmental policies are already in place; what is weak is the application of those policies. Perhaps what we need to do is identify those features that are most suitable for conservation and rank them in terms of priority (low, moderate, high). Then, rank the features in terms of how at risk they are (low, moderate, high). Finally, take a look at what conservation/management tools would be appropriate for the combined value/risk condition of the features that are identified as needing attention. As part of this approach, plans or programs that are currently in place should be identified if they lessen the risk to those environmental features. This sort of mapping/ranking could be useful as an

educational tool. We could add to the Mitigation Plan a plan of how we would try to pursue these ideas. Existing official land use controls should be referenced in the Mitigation Plan. The avoid/minimize/mitigate approach used under the Wetland Conservation Act for wetlands was cited as an example of an approach that could also be applied to other sensitive resources. Other possible tools that could be used to promote or enhance protection include: public funds, development credits, cluster development, woodland preservation, conservation subdivision design, proactive conservation easements, and protection prior to development.

- A discussion of the concept of a Conservation Overlay District as a tool to delineate natural features for potential conservation ensued. If there was a Conservation Overlay District, then whenever General Development Plans are proposed for any properties within this district, an evaluation of conservation opportunities for valued or “at risk” resources would be accomplished using a “conservation checklist” as part of the development review process. A district could be valuable, but a conservation overlay map showing sensitive areas would be just as helpful and wouldn’t require any ordinance amendments, as would a formal district. If a general development plan does not address the sensitivity of an area in its design, the planning commission can deny it.
- Natural communities mapped by the DNR as part of the Natural Heritage Program Biological Inventory are quality natural areas. This is also true of communities identified as having high and moderate levels of biodiversity. These features should be listed on the conservation checklist for consideration of protection or conservation opportunities. Additionally, there may be quality areas not shown on the DNR map because they were deemed too small or too close to development to be added to the map.
- It is likely that no additional ordinances would be needed, however, a more thorough planning and inventory process at a site level will be necessary. The mitigation strategy and AUAR should not necessarily be the tool to develop an ordinance that is needed for the entire City. In some cases, mitigation strategies should be site-specific. Some mitigations strategies are included in the City’s updated storm water management plan.
- Since this type of process could require a higher level of General Development Plan review, it could ultimately increase the pressure on government to determine if an area or sensitive resource is important enough to protect and determine if there is a willingness to give density bonuses, funding, or other incentives to developers if they’ll develop in a conservation-oriented manner. Developers would need to more carefully examine and work around sensitive resources as much as possible. By generally identifying these areas first, we may have more success in maintaining environmental systems. Examples of how some of these tools could be used for subdivision development are needed. The process and mechanics (i.e., the checklist contents and overlay map extent) need to be better refined and motivational and funding tools need to be identified or developed. A “tool box” for developers needs to be prepared and presented to the City Council so they can learn about this process and discuss their desire to support it. It will need to illustrate how the development process could change, available information and techniques to assist in conservation design, along with developer incentives and community benefits. Again, the addition of more development restrictions or difficulties was expressed as a concern.

- The following items were suggested as additions to the recommendations section in the stewardship document:
 - a. Update the parkland acquisition plan to identify flood plains and other natural areas appropriate for land acquisition.
 - b. Define “natural” infrastructure to include storm water management and open space provisions.
 - c. Create incentives for conservation subdivision design.
 - d. Educate landowners prior to development (independently or with developers) about their natural resource features, land conservation tools, and program options.
 - e. Create a Conservation Overlay map to delineate sensitive resources.
 - f. Get copies of *Land Protection Options* to distribute to landowners, developers, and consultants.

Any additional input needs to be provided to Sandi Goslee by January 10, 2001. She will then revise the stewardship document taking into account the input from this TAC meeting and the objectives and obligations of the AUAR.

4.0 DISCUSS THE DRAFT ORDER FOR REVIEW & PROJECT AREA BOUNDARY

The draft resolution, development scenario/project area boundary figure, and fact sheet will be submitted as the Order for Review. This will be submitted to the City Council for adoption on January 23, 2001. There were no comments or suggestions for changes to the Order for Review.

5.0 REVIEW OF COMMENTS FROM THE 11/1 OPEN HOUSE

A summary of comments received at the November 1, 2001 Open House was distributed and reviewed. Barb Huberty stated that she will be sending brief “thank you “ responses to the commentors stating that their comments will be considered as part of the AUAR process and notifying them of future opportunities for comments with formal responses.

6.0 SET NEXT TAC MEETING DATE

The next purpose of the next TAC meeting will be to review the draft AUAR document and mitigation plan. The meeting was set for Tuesday, February 26, 2002 from 4:00 to 8:00 P.M. [Editor’s Note: the meeting will be held in Conference Room 104 at City Hall.] The draft AUAR document and mitigation plan will be distributed to the TAC members for review prior to the meeting.